

FILED
Clerk
District Court

DEC 16 2005

1 JUSTICE ALEXANDRO C. CASTRO, *Pro Se* For The Northern Mariana Islands
2 Supreme Court of the Commonwealth of the Northern Mariana Islands By _____
3 PO Box 502165 CK (Deputy Clerk)
4 SAIPAN, MP 96950
5 670-236-9700

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

ROBERT D. BRADSHAW,

Case No. 05-0027

Plaintiff,

vs.

**EX PARTE MOTION EXTENDING TIME
UNDER LOCAL RULE 7.1.h.3(b) AND
FED. R. CIV. P. 6 (b); APPLICATION FOR
INCREASE OF TIME UNDER LOCAL
RULE 7.1.h.2**

COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS, NICOLE C. FORELLI,
WILLIAM C. BUSH, D. DOUGLAS COTTON,
L. DAVID SOSEBEE, ANDREW CLAYTON,
UNKNOWN AND UNNAMED PERSONS IN
THE CNMI OFFICE OF THE ATTORNEY
GENERAL, ALEXANDRO C. CASTRO,
ALEXANDRO C. CASTRO, TIMOTHY H.
BELLAS, PAMELA BROWN, ROBERT
BISOM, AND JAY H. SORENSEN,

Defendants.

CERTIFICATE PURSUANT TO LOCAL RULE 7.1.h.3(b)

As undersigned pro se Defendant, Alexandro C. Castro (hereinafter sometimes referred to as the "Undersigned") certifies as follows:

a. The address and phone number of Plaintiff Bradshaw, who is without counsel, as listed on his Amended Complaint is:

P.O. Box 473
1530 Trout Creek Road
Calder, Idaho 83808
Telephone: 208-245-1691

Alexandro C. Castro is not yet represented by counsel.

Alexandro C. Castro's address and relevant numbers are:

Supreme Court of the Northern Mariana Islands
PO Box 502165 CK
Saipan, MP 96950
Telephone: (670) 236-9700
Facsimile: (670) 236-9702

**FACTS SHOWING EXISTENCE AND NATURE OF THE CLAIMED EMERGENCY
OR REASON FOR EX PARTE APPLICATION**

The Undersigned requests that this Court extend and enlarge his time to respond to Plaintiff Bradshaw's Amended Complaint. Specifically, the Undersigned seeks an enlargement up to and including January 31, 2006 to file a dispositive motion or responsive pleading to Plaintiff Bradshaw's Complaint.

The Undersigned plans to retain local counsel, but has not yet selected the appropriate practitioner. Plaintiff Bradshaw served the Undersigned improperly, and therefore, the Undersigned reserves all defenses that will be addressed in a dispositive motion under Fed. R. Civ. P. 12(b).

Plaintiff Bradshaw's complaint is eighty-one pages long and contains numerous causes of action under an exhaustive list of federal civil and criminal statutes, including, among others, the Racketeer Influence Corrupt Organizations Act, the Immigration Reform and Control Act and numerous Federal Civil Rights causes of action. Adequately responding to all of Plaintiff Bradshaw's

1 allegations will require a large expenditure of resources and time. Accordingly, the Undersigned needs
2 additional time to retain local counsel who can properly address Plaintiff Bradshaw's allegations and
3 file a dispositive motion.

4 Currently, the deadline for Defendant to respond individually is December 22, 2005.
5 Considering the time it will take to find local counsel, the time it will take to adequately respond to the
6 Amended Complaint and further considering that the Christmas holiday is approaching, the
7 Undersigned believes an extension to January 31, 2006 is equitable and warranted. Additionally,
8 Plaintiff Bradshaw agreed to a January 31, 2006 extension.

9
10 **PLAINTIFF BRADSHAW WAS NOTIFIED, BUT HAS YET TO BE SERVED WITH
THIS MOTION**

11 On December 6, 2005, Supreme Court Law Clerk Deborah Fisher¹ contacted Plaintiff
12 Bradshaw by telephone to obtain a fax number where she could fax a request for an extension of time.
13 At 10:45am, Ms. Fisher spoke with Plaintiff Bradshaw, who informed her that he did not have access
14 to a fax machine. Plaintiff Bradshaw, however, did orally agree to extend the time to file to January
15 31, 2006. Because Mr. Bradshaw resides in Idaho, considering the time it takes for regular mail to
16 travel to Idaho, and taking into account that the holidays will delay the mail service even further, it will
17 be difficult to obtain a stipulation memorializing this agreement in a timely manner. Therefore, the
18 undersigned submits this request to preserve his rights.

19 **APPLICATIONS TO INCREASE TIME PURSUANT TO LOCAL RULE 7.1.h.2**

20 Based upon the facts set forth herein, the Undersigned makes this agreed request to increase the
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1 time to respond and states: a) no other extensions of time have been sought in this matter by Defendant
2 (the Office of the Attorney General sought, and has been granted, an extension previously. Those
3 defendants, however, had deadlines ranging from Nov. 22, 2005 through December 7, 2005 unlike the
4 Undersigned whose first deadline is December 22, 2005); b) the reasons for this extension are set forth
5 herein, and c) granting this extension would not affect any scheduled dates of which the Undersigned
6 is aware.

7 WHEREFORE, based upon the foregoing, the Undersigned respectfully requests that this Court
8 grant the Motion for Extending Time and enter an Order extending the Undersigned's deadline for
9 filing a dispositive motion to the Plaintiff Bradshaw's Complaint until January 31, 2006.

10 Respectfully submitted,

11 JUSTICE ALEXANDRO C. CASTRO

12
13 By


JUSTICE ALEXANDRO C. CASTRO

14 *Pro Se*

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20 _____
21 [Footnote continued from previous page]

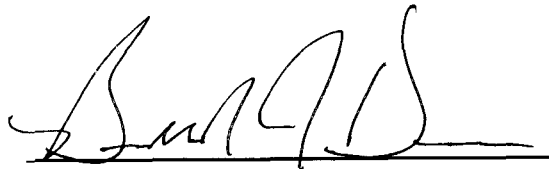
22 ¹ See Declaration of Deborah Fisher attached hereto as Exhibit "A."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served, via U.S. Mail, on the 16th day of December, 2005, upon the following:

Robert D. Bradshaw
Plaintiff, Pro Se
P.O. Box 473
1530 W. Trout Creek Road
Calder, ID 83808

James D. Livingstone
Assistant Attorney General
Office of the Attorney General
2nd Floor, Juan A Sablan Memorial Bldg.
Caller Box 10007
Saipan, MP 96950
670-664-2341



James D. Livingstone

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

ROBERT D. BRADSHAW,

Plaintiff,

vs.

COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS, NICOLE C.
FORELLI, WILLIAM C. BUSH, D.
DOUGLAS COTTON, L. DAVID SOSEBEE,
ANDREW CLAYTON, UNKNOWN AND
UNNAMED PERSONS IN THE CNMI
OFFICE OF THE ATTORNEY GENERAL,
ALEXANDRO C. CASTRO, JOHN A.
MANGLONA, TIMOTHY H. BELLAS,
PAMELA BROWN, ROBERT BISOM, AND
JAY H. SORENSEN,

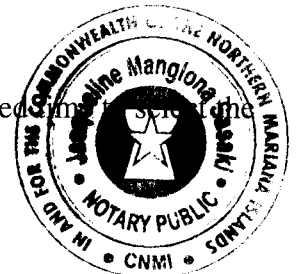
Defendants.

Case No. 05-0027

AFFIDAVIT OF JUSTICE ALEXANDRO C.
CASTRO IN SUPPORT OF EX PARTE
MOTION EXTENDING TIME

I, Justice Alexandro C. Castro, under penalty of perjury, declare as follows:

1. I am an individual, of the age of majority, currently residing on Saipan and employed as a Supreme Court justice by the Commonwealth of the Northern Mariana Islands ("CNMI") Supreme Court.
2. I make this *ex parte* request without waiving my affirmative defense of lack of personal jurisdiction due to improper service in the above-entitled action.
3. I have not yet been able to retain local counsel but plan to do so. I need immediate relief.



appropriate practitioner who will then need time to respond.

4. Because of the voluminous nature of Plaintiff Bradshaw's complaint and the sporadic means of service undertaken, I require additional time to file a dispositive motion or responsive pleading to Plaintiff's Complaint.

5. The members of the Supreme Court judiciary are usually represented by the Attorney General's office. Because of a conflict, the AG's office is unable to represent me. It is highly unusual for me to be in a position where I am required to search for local representation and, as such, I must carefully consider the appropriate practitioner to retain.

6. At present, no other extensions of time have been requested and no other deadlines were previously set, except for the deadline of December 23, 2005 for Defendants represented by the Attorney General who received (were able to begin to work with) the Amended Complaint far earlier.

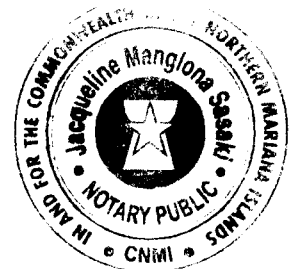
7. Granting this extension request will not have any discernable effect on this proceeding.

8. On December 6, 2005 at 10:45am, Supreme Court Law Clerk Deborah E. Fisher attempted to contact Plaintiff Bradshaw telephonically to obtain his fax number, if one exists, or request his assent to extend the deadline to respond to Plaintiff's complaint until January 31, 2006. Plaintiff Bradshaw represented that he does not have access to a fax machine, but he did consent to the extension of time to January 31, 2006 orally.

9. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

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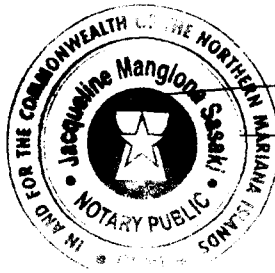
Executed on Saipan this 15th day of December, 2005.


JUSTICE ALEXANDRO C. CASTRO

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS)
SAIPAN)

On this 15th day of December, 2005 before me personally appeared Justice Alexandro C. Castro, known to me to be the person whose name is subscribed to the foregoing Affidavit, and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.




Notary Public

Jacqueline
NOTARY PUBLIC

Commonwealth of the Northern Mariana Islands
Saipan, CNMI

Ma Sasaki

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an official seal is

Jan 16, 2007

Exhibit “A”

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6 **IN THE UNITED STATES DISTRICT COURT**
7 **DISTRICT OF THE NORTHERN MARIANA ISLANDS**

8 **ROBERT D. BRADSHAW,**

Case No. 05-0027

9 **Plaintiff,**

10 **vs.**

**AFFIDAVIT OF DEBORAH E. FISHER IN
SUPPORT OF EX PARTE MOTION
EXTENDING TIME**

11 **COMMONWEALTH OF THE NORTHERN**
12 **MARIANA ISLANDS, NICOLE C.**
13 **FORELLI, WILLIAM C. BUSH, D.**
14 **DOUGLAS COTTON, L. DAVID SOSEBEE,**
15 **ANDREW CLAYTON, UNKNOWN AND**
16 **UNNAMED PERSONS IN THE CNMI**
17 **OFFICE OF THE ATTORNEY GENERAL,**
18 **ALEXANDRO C. CASTRO, JOHN A.**
19 **MANGLONA, TIMOTHY H. BELLAS,**
20 **PAMELA BROWN, ROBERT BISOM, AND**
21 **JAY H. SORENSEN,**

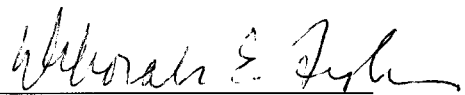
22 **Defendants.**

I, Deborah E. Fisher, under penalty of perjury, declare as follows:

1. I am an individual currently residing on the Island of Saipan and employed as a Law Clerk of the Supreme Court of the Commonwealth of the Northern Mariana Islands.

- 1 2. On December 6, 2005 at 10:45am, I attempted to contact Plaintiff Bradshaw
2 telephonically to obtain his fax number, if one exists, or request his assent to extend
3 Defendant's deadline to respond to Plaintiff's complaint until January 31, 2006. I spoke
4 to Plaintiff Bradshaw who represented that he does not have access to a fax machine,
5 but he did consent to the extension of time to January 31, 2006 orally.
6
7 3. I declare under penalty of perjury that the foregoing is true and correct to the best of my
8 knowledge.

9 Dated this 14th day of December, 2005.

10
11 
12 **Deborah E. Fisher**


13 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS)

14 SAIPAN)

15 On this 14th day of December, 2005 before me personally appeared Deborah E. Fisher, known
16 to me to be the person whose name is subscribed to the foregoing Affidavit and acknowledged that she
executed the same for the purposes therein contained.

17 In Witness Whereof, I hereunto set my hand and official seal.

18
19 
20 _____
21 Notary Public
22


JUN 16, 2007